

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

ZURICH AMERICAN INSURANCE)	
COMPANY,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 3:13 CV 1109
)	
MURPHY ICE & KOENEMAN, LLP f/k/a)	
MURPHY LAW GROUP f/k/a MILLER)	
MURPHY LLP, EDWARD L. MURPHY JR.,)	
and BENJAMIN D. ICE,)	
)	
Defendants.)	

OPINION AND ORDER

Plaintiff Zurich American Insurance Company has filed a Complaint invoking this Court's diversity jurisdiction [DE 1], but the Court has questions over whether or not this is proper. According to the Complaint, one of the defendants in this action, Murphy Ice & Koeneman, LLP, is a limited liability partnership organized under the laws of the state of Indiana. Partnerships, like the Defendant, are treated as citizens of every state of which any partner or member is a citizen. *Hart v. Terminex Int'l.*, 336 F.3d 541, 542 (7th Cir. 2003) (quoting *Market Street Assocs. Ltd. P'ship v. Frey*, 941 F.2d 588, 589 (7th Cir. 1991), which held that "for purposes of deciding whether a suit by or against a limited partnership satisfies the requirement of complete diversity of citizenship . . . the citizenship of all the limited partners, as well as of the general partner, counts"); *Indiana Gas Co., Inc. v. Home Ins. Co.*, 141 F.3d 314, 317 (7th Cir. 1998) ("General partnerships, limited partnerships, joint stock companies, and unincorporated membership associations all are treated as citizens of every state of which any partner or member is a citizen."). Thus, in order to ascertain whether the parties are actually

diverse in this matter, the citizenship of all of the partners of defendant Murphy Ice & Koeneman, LLP must be identified. Though the Complaint avers that Defendants Edward Murphy and Benjamin Ice are partners in Murphy Ice and are Indiana citizens, the Complaint fails to indicate if Murphy Ice has any other partners (and the name of the firm implies that it very well might).

Accordingly, Plaintiff is hereby **ORDERED** to clarify for the Court the citizenship of the partners of Murphy Ice & Koeneman, LLP, on or before October 31, 2013.

SO ORDERED.

ENTERED: October 23, 2013

s/ Philip P. Simon
PHILIP P. SIMON, CHIEF JUDGE
UNITED STATES DISTRICT COURT